IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3097 OF 2004

Vikash Shriprakash Kanoi .. Applicant.
Vs.
State of Maharashtra .. Respondent.

Ms.Anjali Patil with Mr.J.P.Mishra for the applicant.
Mr.A.S.Gadkari APP for the respondent.

CORAM : D.B.BHOSALE, J.

DATED : 10TH AUGUST, 2004

P.C.:

. Heard Mr.Mishra, learned counsel for the applicant and Mr.Gadkari, learned A.P.P. for the respondent.

2. This application under section 438 of Criminal Procedure Code is filed by the applicant in C.R.No.205/2004 registered at Dr.D.B.Marg police station under sections 406, 420 read with section 34 of Indian Penal Code. I heard this application for quite sometime. I was not inclined to grant this application for pre-arrest bail and when I so expressed Mr.Mishra, learned counsel for the applicant, on instructions, submitted that I need not record reasons for rejecting this application

on merits and that the applicant is prepared to surrender to the investigating agency. He prayed for two days time to surrender. Mr.Gadkari, learned A.P.P. for the respondent-state did not seriously oppose the prayer. In view of this I pass the following order:

(i) The application stands rejected.

(ii) Liberty to the applicant to surrender on or before 12.8.2004 before the Investigating Officer, until then he shall not be arrested. Liberty to the applicant to apply for regular bail after his arrest. If such an application seeking bail is filed same may be considered on merits in accordance with law. While granting liberty I shall not be understood to have examined the merits of the case.

. The application is disposed of.

(D.B.Bhosale, J.)